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REGULAR MEETING OF
AUGUST 25, 2020

In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4), The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web. We encourage the public to use one of the following:

The Telephone Numbers Are:

(312) 626-6799 or (213) 338-8477, Meeting ID: 927361025

If You Are Joining By Web The Link Is:

<https://cityofdetroit.zoom.us/j/927361025>

If you need additional information regarding this meeting, you can contact either James Ribbron: (313) 939-1405 or Thomina Davidson: (313) 451-2678

DOCKET

- I. OPENING:**
 - A. CALL TO ORDER.....9:00 A.M.**
 - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
 - A. APPROVAL OF MINUTES: August 18, 2020**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

This Meeting is open to all members of the public under Michigan’s Open Meetings Act

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at [\(313\) 224-4950](tel:3132244950), through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.

9:15 a.m. **CASE NO.:** 11-20 aka BSEED SLU2020-00011

APPLICANT: Dany Hamana

LOCATION: 10001 W. Seven Mile Rd. between Kentucky and Ilene in a B2 Zone Local Business and Residential District- City Council District #2

LEGAL DESCRIPTION OF PROPERTY: S SEVEN MILE RD 40 THRU 37 E 10 FT 36 EXCEPT SEVEN MILE ROAD AS WD HOPPERS COLLEGE PARK SUB L47 P70 PLATS, W C R 16/407 107 X 86.16A

PROPOSAL: Dany Hamana request permission to expand or modify a non-conforming Gas Station (Permit #200404 August 25, 1932) by building a new non-conforming Gas Station w/Canopy in a 544 sq. ft. building, a 592 sq. ft. addition on a 9,202 sq. ft. in a B2 Zone Local Business and Residential District. This case is appealed because a public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion or intensification of a nonconforming use, subject to Section 50-15-27 of this Code, provided, that nonconforming adult uses shall not be considered for expansion or intensification. See Section 50-3-505 of this Code; (1) Any increase in the gross floor area of a building that houses a nonconforming use shall be deemed an expansion of the nonconforming use. Any increase in the area of a zoning lot where a nonconforming use is located shall be deemed an expansion of the nonconforming use;(2) Any change to the site plan of a nonconforming use involving a structure; loading is in the alley but there is no rear door, missing dumpster, no right of way screening, does not meet the lot area of 16,000sq. ft. setback not 10 ft. from property line. (Sections 50-15-7 - Board of Zoning Appeals, 50-15-26 - Expansion or intensification of nonconforming uses and 50-15-27. - Required findings).AP

10:15 a.m. **CASE NO.:** 100-19 – Adjourned

APPLICANT: Dinverno, Inc

LOCATION: 4600 E. Nevada between Nevada and Minnesota Ave in a M4 (Intensive Industrial District).- City Council District #3

LEGAL DESCRIPTION OF PROPERTY: S NEVADA THAT PT OF S W 1/4 SEC 8 T 1 S R 12 E DESC AS BEG AT A PTE IN S LINE NEVADA 1720.75 FT FROM W LINE SEC 8 TH S 388.68 FT TH N 89D 29M 30S E 100 FT TH S 42.25 FT TH ON CUR TO R 180.26 FT RAD 383.85 FT TH N 45D 22M 30S W 463.43FT TH N 01D 16M 12S E 59 FT TH N 89D 21M 48S E 400 FT TO PTE OF BEG 13/--- 108,190 SQ FT

PROPOSAL: Dinverno, Inc. requests to appeal the BSEED Denial SLU 2019- 00137 effective date November 18, 2019 to modify BSEED #126-95 grant conditions at a Transfer Center on a 2.48 acre in a M4 (Intensive Industrial District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; the close proximity of the site to Sojourner Truth Homes located at 4525 E. Nevada will be detrimental; the proposed use involves activities, processes, materials, equipment or conditions of operation that will be detrimental; a community agreement was not provided and the proposed use will have a detrimental effect upon vehicular turning patterns, ingress/egress, traffic flow, nearby intersections, traffic visibility and the clear vision. (Sections 50-4-101 Jurisdiction over appeals of administrative decision and 50-3-281 General Approval Criteria).AP

11:15 a.m. **CASE NO.:** 6-17 aka BSEED 58-16 - Remanded by Circuit Court

APPLICANT: Kush Brothers, LLC/Dakota Kleiner

LOCATION: 15500 E. Eight Mile Rd. between Crusade and Brock in a B4 zone (General Business District) - City Council District #3

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE E 303&304 DRENNAN & SELDON'S REGENT PARK SUB NO 1 L55 P88 PLATS, WCR 21/905 40 X 100

PROPOSAL: Kush Brothers, LLC requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing approximate 3,600 square foot building which was APPROVED conditionally in (BSEED 58-16) and Remanded by the Circuit Court February 26, 2020 in a B4 zone (General Business District). This case is appealed because the Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center: One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use (other than arcade) or a Religious Institution. The proposed use is within 1,000 radial feet of one (1) Controlled Use (J's Liquor Shop) located at 15260 E. Eight Mile Rd. – 765' away. Also, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87 of this Code. (Sections 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 61-12-92 Other uses-Spacing, 61-12-87 SPC (Spacing), 61-4-92(3) Other Variances, Variance of Spacing/Locational Regulation, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

- VII. PUBLIC COMMENT / NEW BUSINESS
- VIII. ADVISEMENTS / OLD BUSINESS
- IX. MEETING ADJOURNED